

Permit Number - ND2016-17572

State of North Dakota
Temporary Water Permit
SWC Project No. 1400A

In response to an application for a temporary water permit dated Jun 21, 2016 as received in this office Jun 22, 2016, authority is hereby granted to:

Dakota Access, LLC
1300 Main Street

Houston, TX 77002

Contact Person: Monica Howard

Telephone (713) 989-7186

A Temporary Water Permit as follows:

Source: Knife River

Point of Diversion: SW1/4 SE1/4 Sec. 30 Twp. 143 Rng. 089

Nature of Use: Hydrostatic testing

Total Quantity of Water: 5,000,000.0 Gallons

Maximum Withdrawal Rate: 2,000.0 gpm

Period of authorized usage: Aug 1, 2016 through Dec 31, 2016

Conditions


This temporary water permit is granted subject to use from the source by senior appropriators. Permission for access to the source must be obtained from all affected landowners. Failure to comply with any order of the State Engineer may result in forfeiture of this permit. The granting of a temporary water permit does not create a water right. Temporary water permits are not transferrable. Temporary water permits cannot be modified.

The total quantity of water listed above is 15.3 acre-feet.

This temporary water permit is issued subject to water use from the source by senior appropriators.

Permit Holder must contact the North Dakota Department of Health at 701.328.5210 to complete and file NPDES Short Form C prior to discharging waters back into the waters of the state.

Dated: Jul 26, 2016



Garland Erbele, P.E.
State Engineer
ND State Water Commission
900 East Boulevard
Bismarck, ND 58505


Jon C. Patch, P.E.
Director, Water Appropriation Division

cc: Mercer WRD

OFFICE OF THE NORTH DAKOTA STATE ENGINEER
RECOMMENDED DECISION

To: Garland Erbele, P.E., State Engineer
Approved by: Jon Patch, P.E., Director, Water Appropriations Division
Reviewed by: William Schuh, Assistant Division Director
Reviewed by: Dan Farrell, Hydrologist Manager- Surface Water
From: Bryce Klasen, Hydrologist II - Surface Water
Subject: Temporary water permit application: ND2016-17572
Dakota Access, LLC
Date: July 25, 2016


JP 7/27/16
WCS 7/28/16
DF 7-26-16

The State Engineers Office received an application for a temporary water permit from Dakota Access, LLC on 6/21/16. This application requested the authorization to use 15.3 acre-feet of water at a maximum rate of withdrawal of 2400 gallons per minute from “Knife River”. The requested point of diversion (POD) listed on the application is at 14308930DC of Mercer County. The requested period of withdrawal was 8/1/16 through 4/14/17. The nature of use for the proposed allocation was listed as “Hydrostatic testing”, which is cataloged as “Construction”.

A hydrologic review was completed as a part of the review process for the temporary water permit application.

The hydrologic review of the proposed pumping from the POD on Knife River, in the Gold Creek sub-watershed, Middle Knife River watershed, and Knife sub-basin will not adversely affect existing rights.

Therefore, the temporary water permit application submitted by Dakota Access, LLC to withdraw 15.3 acre-feet of water at a maximum rate of 2000 gpm from the above listed source for a timeframe beginning 8/1/16 and ending 12/31/16 is recommended for approval with the conditions attached to this permit.


Bryce Klasen
Hydrologist II- Surface Water



APPLICATION FOR A TEMPORARY WATER PERMIT
NORTH DAKOTA STATE WATER COMMISSION
WATER APPROPRIATIONS
 SFN 60158 (07/2014)

RECEIVED
 JUN 21 2016

MAIL THE COMPLETED APPLICATION TO:

State Engineer • ND State Water Commission • State Office Building • 900 East Boulevard • Bismarck, ND 58505-0850
 BY FAX - (701) 328-3696 • BY EMAIL - waterpermits@nd.gov

(SIGNATURE MUST BE PROVIDED)

NOTE: Use one application for each type of source (surface water or ground water). Use one application for each different surface water source. Complete all lines. If this application is not satisfactorily completed, it will be returned. If more space is necessary, attach additional sheets. Please type or print in ink. No map is required.

Name of Applicant				Dakota Access, LLC			
Mailing Address				1300 Main Street			
City		State		Zip Code			
Houston		TX		77002			
Home Telephone Number				Work Telephone Number			
				713-989-7186			
Cell Phone Number				E-Mail			
713-898-8222				monica.howard@energytransfer.com			
Contact Person (if applicant is not an individual)				Contact Person Telephone Number			
Monica Howard							
Source of Water Supply (check one) <input checked="" type="checkbox"/> Surface Water Source <input type="checkbox"/> Ground Water Source							
Name of Source (If surface water):					County		
Knife River					Mercer		
1/4 1/4 (if needed)		1/4		Section		Township	
SW1/4		SE		30		143N	
						Range 89W	
Purpose for Which Water Will be Used: Hydrostatic testing of new pipeline							
Total Quantity of Water Requested: (complete one)				Acre-Feet		Gallons	
						5,000,000	
						Barrels	
Unit Conversions: • 1 ac ft = 325,851 gallons • 1 ac ft = 7,758.3 barrels							
<input type="checkbox"/> <1 AF \$75 <input type="checkbox"/> 1-10 AF \$125 <input checked="" type="checkbox"/> >10 AF \$200							
Fee must accompany signed temporary water permit application.							
Withdrawal rate at which water is proposed to be diverted at the location listed above:				GPM			
				2,400 gallons/minute maximum			
Period of Usage: (up to 12 months)				From		Through	
				8/1/2016		4/14/2017	
Signature: <i>Monica Howard</i>						Date: 6/20/16	
Printed Name: Monica Howard							

Upon receipt of this form, the State Engineer will forward a written response to the applicant within approximately 30 days. If the application is approved, the granting of temporary water permit does not create a water right. If you have any questions, call (701) 328-2754.

2016 Temporary Permit Annual Water Use Report
(Return all pages of this form even if no water was used)

ND2016-17572

Permit Number:ND2016-17572

Make Name and/or Address corrections below:

Dakota Access, LLC
1300 Main Street

Houston, TX 77002

Phone:

Report the total in : Gallons or Barrels or Acre-Feet Please circle the units used (gallons, barrels, acre-feet)
Report the total amount of water per month if applicable:

JANUARY	_____	JULY	_____
FEBRUARY	_____	AUGUST	_____
MARCH	_____	SEPTEMBER	_____
APRIL	_____	OCTOBER	_____
MAY	_____	NOVEMBER	_____
JUNE	_____	DECEMBER	_____

TOTAL ANNUAL USE _____

I. INFORMATION ABOUT WELLS, PUMPS, OR POINTS OF DIVERSION

Report the following information for the Point of Diversion SW1/4 SE1/4 Sec. 30 Twp. 143 Rng. 089

Water Source: Ground Water or Surface Water (Circle one)

Pumping Rate: _____ (Circle: Barrels, Acre-Feet, Gallons) PER (Circle : Second, Minute, Hour, Day)

Total Water Use from this Point of Diversion : _____ (Circle: Barrels, Acre-Feet, Gallons)

WATER PERMIT CRITERIA:

Source: Knife River

Nature of Use: Hydrostatic testing

Total Quantity of Water: 15.34 Acre-Feet

Maximum Withdrawal Rate: 2,000.0 gpm

Period of authorized useage: Aug 1, 2016 through Dec 31, 2016

II. MAKE ANY ADDITIONAL REMARKS BELOW:

Note: 1 Acre-Foot = 325,851 gallons.

E-Mail: depotreporting@nd.gov

Please return to:
North Dakota Office of the State Engineer
State Office Building
900 East Boulevard
Bismarck, ND 58505
Phone (701) 328-2754

Signature _____

Date : _____